

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:23-CV-41-BO-RJ

CHRISTINE AMBER ETHEREDGE,)
 Plaintiff,)
)
 v.)
)
THE STATE OF NORTH CAROLINA,)
et al.,)
 Defendants.)

ORDER

This cause comes before the Court on the memorandum and recommendation of United States Magistrate Judge Robert Jones. [DE 15]. Plaintiff has failed to respond to the memorandum and recommendation (M&R). On September 29, 2023, Magistrate Judge Jones recommended that plaintiff's complaint be dismissed without prejudice for failure to state a claim upon which relief can be granted.


"The Federal Magistrates Act requires a district court to make a *de novo* determination of those portions of the magistrate judge's report or specified proposed findings or recommendations to which objection is made." *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); *see* 28 U.S.C. 636(b). Absent timely objection, "a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." *Diamond*, 416 F.3d at 315 (quotation omitted).

Here, despite being warned as to the consequences [DE 15], plaintiff made no objection to the M&R. Having considered the M&R and record, the Court is satisfied that there is no clear error on the face of the record and adopts the magistrate judge's recommendation.

CONCLUSION

For the foregoing reasons, the M&R is ADOPTED. Plaintiff's complaint [DE 1] and any amendments thereto [DE 6, 11] are hereby DISMISSED without prejudice. Plaintiff's motion to transfer case [DE 10] is DENIED AS MOOT. The clerk is DIRECTED to close this case.

SO ORDERED, this 29 day of November 2023.



TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE